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JUN 19 1964  
FBI - NEW YORK

100-44388-100

**I. Identification of Persons with Information Relevant to Disputed Facts.**

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| 1. Carl E. Oeder<br>3980 Turtlecreek Road<br>Lebanon, Ohio 45036  | Mr. Oeder has information relative to Plaintiff Oeder's operations and the impact of the Resolution on the operations.   |
| 2. David Oeder<br>3980 Turtlecreek Road<br>Lebanon, Ohio 45036  | Mr. Oeder has information relative to Plaintiff Oeder's operations and the impact of the Resolution on the operations.   |
| 3. Timothy Browning<br>3980 Turtlecreek Road<br>Lebanon, Ohio 45036   | Mr. Browning has information relative to the impact of the Resolution on his trucking activities and a description of his trucking activities while driving for Plaintiff Oeder. |
| 4. Expert Witness<br>Thomas E. Titus, C.P.A.<br>Titus, Urbanski & Demarco, Inc.<br>1627 Henthorne Drive<br>Maumee, OH 43537 | Mr. Titus has information relative to the damages that Plaintiff Oeder has sustained as a result of the Resolution.  |
| 5. John Louallen, Trustee<br>99 North High Street<br>South Lebanon, Ohio 45065  | Mr. Louallen has information relative to the background and passage of the Resolution and the enforcement of the Resolution.   |
| 6. Lionel Lawhorn, Trustee  | Mr. Lawhorn has information relative to the background and passage of the Resolution and the enforcement of the Resolution.  |
| 7. Trustee, name unknown  | Trustee has information relative to the background and passage of the Resolution and the enforcement of the Resolution.  |

**II Description of Documents in Plaintiffs' Possession, Custody, or Control Relevant to Disputed Facts.**

1. Resolution 112000-01 which was attached to Plaintiffs' Amended Complaint for Declaratory Judgment, Injunctive Relief, and Other Damages.

**III Computation of Damages**

1. Plaintiff Oeder alleges that it has suffered damages as a result of the Resolution in an amount in excess of \$1,000,000, as identified by Plaintiff Oeder's expert witness.

2. Plaintiff Browning's damages relate to the Resolution's interference with his ability to use his truck to haul material. Plaintiff Browning also intends to retain an expert to more definitively ascertain the full measure of the damages he has suffered.

#### IV Insurance Agreements

1. N/A.

Respectfully submitted,

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Attorneys for Plaintiffs Carl E. Oeder & Sons  
Sand & Gravel Co., A Division of Oeder &  
Sons Garage Incorporated, and Timothy  
Browning

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing *Plaintiffs' Initial Disclosures Pursuant to Fed.R.Civ. P. 26(a)(1)* was sent this 27<sup>th</sup> day of November, 2002, via ordinary U.S. Mail, to Patrick K. Dunphy, Esq., Attorney for Defendant Union Township, Falke & Dunphy, LLC, 30 Wyoming Street, Dayton, OH 45409.

  
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Patricia J. Kleeberger (0070068)  
Attorney for Plaintiffs